

I am a new professor at UC Berkeley, though I am writing in my personal capacity as a proud native-born citizen of the United States.

The proposed rule regarding the so called "Broadcast Flag" is deeply flawed. People have a fundamental right to educate themselves, to teach others, to experiment and tinker, and to build and share devices that work towards these ends as long as they are not fundamentally dangerous.

Copyright violation is already grounds for civil litigation and there exist legal penalties for it. The proposed "broadcast flag" rule would make it illegal for people to build devices that have certain substantial non-infringing uses.

For example, it is currently an assigned project in one of our EECS courses for our undergraduates to design and build a rudimentary ethernet TV system for decoding and displaying digital TV signals sent across ethernet. If one of our more ambitious and creative students decides to build on this, and to try to make her own HDTV decoding circuits and software, I do not want to live in a country that would call her a criminal. If she shares her plans with her classmates and hobbyists around the world, she is doing a good thing and should not be considered a smuggler or trafficker in forbidden goods.

Such creativity and sharing should be encouraged and celebrated, not considered illegal. We are the nation of Franklin, Edison, Tesla, and countless other brave men and women who were proud to tinker and create new things. We are not a nation of "consumers" or "taxpayers" or "industries," but a nation of *citizens* founded on the principle of freedom.

Please, reject all further attempts to restrict what citizens do with media and broadcast content. Copyright violation is already illegal, we do not need new regulations that outlaw experimentation, study, and tinkering in the name of "protecting copyright." We already have a perfectly functioning civil court system for going after copyright infringers.